

**CITY OF WEIRTON
MONDAY, APRIL 12, 2021
COUNCIL MEETING – REGULAR
OPEN TO THE PUBLIC
7:00 p.m.
MILLSOP COMMUNITY CENTER – WEIRTON ROOM**

PRAYER

PLEDGE OF ALLEGIANCE

MEETING CALLED TO ORDER

ROLL CALL

MAYOR'S AWARDS AND PROCLAMATIONS

- Proclamation – Fair Housing Month – Human Rights Commission
- Proclamation – National Child Abuse Prevention Month – CASA and Comfort House
- Proclamation – National Autism Awareness Month – Brooke-Hancock Special Needs Coalition
- Certificate and Plaque honoring Former City of Weirton Fire Chief, Dean Allen

CITIZENS' REMARKS

Executive Session shall be held only if a majority vote of the members of the governing body vote to hold an executive session and the items for consideration shall consist of any and all of those contained within West Virginia Code 6-9A-4

READING OF MINUTES

- March 1, 2021 – Special Council Meeting
- March 8, 2021 – Regular Council Meeting
- March 30, 2021 – Special Council Meeting

FINANCE COMMITTEE COMMENTS/FINANCIAL REPORT

NEW BUSINESS:

1. An Ordinance to Amend the Traffic Control Map Ordinance No. 214, to Place a Stop Sign on Haley Drive at the Intersection of Haley Drive and Valley View Drive. (Councilman Weigel)
2. An Ordinance to Amend the Traffic Control Map Ordinance No. 214, to Place a Stop Sign on Valley View Drive at the Intersection of Valley View Drive and Culler Road. (Councilman Weigel)
3. A Resolution to Authorize the City Manager to Enter Into Settlement Negotiations and Mediation and the Authority to Authorize the Settlement of all Claims Relating to the City of Weirton's Lawsuit Involving Opioid Claims. (City Attorney)

4. A Resolution Rescinding the Resolution Passed on March 8, 2021 Approving the Purchase of a 2021 Ram 2500 4x4 Crew Cab and Entering Into a New Contract for the Purchase of A 2022 Ford F-250 4x4 Crew Cab for the Street Department at Public Works (\$47,155.00). (City Manager)
5. A Resolution to Purchase Parts to Repair the Strainer Assembly on the 2012 Freightliner Vac Truck in the Street Department at Public Works (\$6,000.00). (City Manager)
6. A Resolution Supporting WVML 2021 Federal Advocacy Agenda. (Mayor Miller)
7. An Ordinance Regarding the Current State of Land Use Zoning of the Former Jimmy Carey Stadium Located at Tax Map W42H Parcel 44 Zoned M-2 Heavy Industrial/Light Industrial/Commercial. (City Manager)
8. A Resolution to Enter Into Contract for the Purchase of a 2022 Ford F550 4x4 Regular Cab Truck with Dump Body and Plow/Spreader Package for the Street Department at Public Works (\$101,548.00). (City Manager)
9. A Resolution to Repair the 2016 Freightliner Sanitation Truck in the Sanitation Department at Public Works (\$9,500.00). (City Manager)
10. A Resolution to Authorize the City Manager to Enter Into Contract for the Purchase of Two (2) 2021 AWD Ford Explorer SUV Marked Police Cruisers for the Weirton Police Department's Patrol Division (\$68,282.00). (City Manager)
11. An Ordinance to Amend the Traffic Control Map, Ordinance No. 214, of the City of Weirton, to Establish a Residential Disability Parking Space at 3514 Elm Street (Emergency Reading). (Councilman Ash)
12. A Resolution to Enter into Contract for Environmental Services for the Public Works Department (\$9,890.00). (City Manager)
13. A Resolution to Authorize Revisions to the 2020-2021 Fiscal Year General Fund Budget. (City Manager)
14. A Resolution to Authorize Revisions to the 2020-2021 Fiscal Year Coal Severance Fund Budget. (City Manager)
15. An Ordinance Modifying Ordinance #1733 Implementing New Rules and Regulations for the Weirton Fire Department Personnel. (Councilman Connell)

CITY MANAGER AND DEPARTMENTAL REPORTS

MAYOR AND COUNCIL COMMENTS/COMMUNICATIONS

ADJOURNMENT

PRAYER

INFORMATIONAL COUNCIL MEETING

Monday, April 12, 2021

MILLSOP COMMUNITY CENTER – WEIRTON ROOM

6:55 p.m.

**MEETING MINUTES
WEIRTON CITY COUNCIL**

Regular Council Meeting
Millsop Community Center – Weirton Room
Weirton, WV 26062

Monday, April 12, 2021, 7:00 p.m.

Councilman Tim Connell recited the opening prayer and led the Pledge of Allegiance.

Mayor Harold Miller called the meeting to order.

City Clerk Kimberly Long conducted roll call.

ROLL CALL

Mayor and Council Members in Attendance

Harold E. Miller	Mayor	IN PERSON
Tim Connell	Councilmember Ward 1	IN PERSON
Mike Adams	Councilmember Ward 2	IN PERSON
Fred S. Marsh	Councilmember Ward 3	IN PERSON
George E. Ash, Sr.	Councilmember Ward 4	IN PERSON
Flora Perrone	Councilmember Ward 5	IN PERSON
Enzo Fracasso	Councilmember Ward 6	BY TELEPHONE
Terry Weigel	Councilmember Ward 7	IN PERSON

City Officials in Attendance

W. Coty Shingle	Park Board Executive Director	IN PERSON
Diana Smoljanovich	Finance Director	IN PERSON
Joseph DiBartolomeo	City Manager	IN PERSON
DeeAnn Pulliam	Assistant City Manager	IN PERSON
Vincent S. Gurrera, Esq.	City Attorney	IN PERSON
Brian Stewart	IT Analyst	IN PERSON
Kimberly Long	City Clerk	IN PERSON

MAYOR’S AWARDS AND PROCLAMATIONS

PROCLAMATION – Fair Housing Month – Human Rights Commission

NOW, THEREFORE I, Harold Miller, Mayor of the City of Weirton, Brooke and Hancock Counties, West Virginia, do hereby proclaim the month of April 2021 as

"FAIR HOUSING MONTH" in the City of Weirton, West Virginia, and urge all of our residents to join in our efforts to affirm fair housing opportunities for all people. We thank the Human Rights Commission for their dedication to our community and commitment to ensuring fairness and equality amongst our citizens.

PROCLAMATION – National Child Abuse Prevention Month – CASA and Comfort House

***NOW, THEREFORE, BE IT RESOLVED,** that I, Harold E. Miller, Mayor of the City of Weirton, West Virginia, do hereby proclaim April as "**Child Abuse Prevention Month**" in the City of Weirton and honor the professionals, volunteers, and organizations who work tirelessly to protect at-risk children and care for those who have experienced abuse or neglect.*

PROCLAMATION – National Autism Awareness Month – Brooke-Hancock Special Needs Coalition

***NOW, THEREFORE, I, Harold E. Miller, Mayor of the City of Weirton,** do hereby proclaim April 2021, as "**Autism Awareness Month**" in support of this important initiative and thank the Brooke-Hancock Special Needs Coalition for their dedication to our community and commitment to help those who are impacted by Autism.*

CERTIFICATE and PLAQUE honoring former City of Weirton Fire Chief, Dean Allen

An honorable man whose leadership and eagerness to serve was a living example to others. His dedication and devotion will be missed by all.

CITIZENS' REMARKS

Mike Chek provided information on a potential site for the proposed new police annex.

Matt Provenzano commented on the Planning Commission's study and recommendation of the current state of land use at the former Jimmy Care Stadium.

Request by Council to convene into Executive Session consistent with West Virginia Code 6-9A-4.

No motion was made to go into Executive Session.

READING OF MINUTES

March 1, 2021, Special Council Meeting Minutes

Motion to Approve the March 1, 2021, Special Council Meeting Minutes:

Councilman Ash

Motion Approved: 7/0

March 8, 2021, Regular Council Meeting Minutes

Motion to Approve the March 8, 2021, Regular Council Meeting Minutes:

Councilman Ash

Motion Approved: 7/0

March 30, 2021, Special Council Meeting Minutes

Motion to Approve the March 30, 2021, Special Council Meeting Minutes:

Councilman Ash

Motion Approved: 7/0

FINANCE COMMITTEE COMMENTS/FINANCIAL REPORT

Councilman Fred Marsh reported that the Finance Committee recommends all finance related items on tonight's agenda to Council. Item #4 on tonight's agenda is to rescind last month's approved resolution to purchase a Ram truck for Public Works. Currently, Ram is not accepting any more orders. Tonight's resolution is asking to purchase a Ford F-250, at a price increase of \$3,000.00; however, we would get the truck this year.

NEW BUSINESS:

1. An Ordinance to Amend the Traffic Control Map Ordinance No. 214, to Place a Stop Sign on Haley Drive at the Intersection of Haley Drive and Valley View Drive. (Councilman Weigel)
Motion to Approve: Councilman Weigel
Motion Approved: 7/0
2. An Ordinance to Amend the Traffic Control Map Ordinance No. 214, to Place a Stop Sign on Valley View Drive at the Intersection of Valley View Drive and Culler Road.
(Councilman Weigel)
Motion to Approve: Councilman Weigel
Motion Approved: 7/0

3. A Resolution to Authorize the City Manager to Enter Into Settlement Negotiations and Mediation and the Authority to Authorize the Settlement of all Claims Relating to the City of Weirton's Lawsuit Involving Opioid Claims. (City Attorney)

Motion to Approve: Councilman Ash

Discussion: The City Attorney confirmed that this is a separate lawsuit the City is a part of that is outside of the Attorney General's lawsuit.

Motion Approved: 7/0

4. A Resolution Rescinding the Resolution Passed on March 8, 2021 Approving the Purchase of a 2021 Ram 2500 4x4 Crew Cab and Entering Into a New Contract for the Purchase of A 2022 Ford F-250 4x4 Crew Cab for the Street Department at Public Works (\$47,155.00). (City Manager)

Motion to Approve: Councilman Marsh

Motion Approved: 7/0

5. A Resolution to Purchase Parts to Repair the Strainer Assembly on the 2012 Freightliner Vac Truck in the Street Department at Public Works (\$6,000.00). (City Manager)

Motion to Approve: Councilman Marsh

Motion Approved: 7/0

6. A Resolution Supporting WVML 2021 Federal Advocacy Agenda. (Mayor Miller)

Motion to Approve: Councilman Ash

Motion Approved: 7/0

7. An Ordinance Regarding the Current State of Land Use Zoning of the Former Jimmy Carey Stadium Located at Tax Map W42H Parcel 44 Zoned M-2 Heavy Industrial/Light Industrial/Commercial. (City Manager)

DIED FOR LACK OF A MOTION

8. A Resolution to Enter Into Contract for the Purchase of a 2022 Ford F550 4x4 Regular Cab Truck with Dump Body and Plow/Spreader Package for the Street Department at Public Works (\$101,548.00). (City Manager)

Motion to Approve: Councilman Marsh

Motion Approved: 7/0

9. A Resolution to Repair the 2016 Freightliner Sanitation Truck in the Sanitation Department at Public Works (\$9,500.00). (City Manager)

Motion to Approve: Councilman Weigel

Motion Approved: 7/0

10. A Resolution to Authorize the City Manager to Enter Into Contract for the Purchase of Two (2) 2021 AWD Ford Explorer SUV Marked Police Cruisers for the Weirton Police Department's Patrol Division (\$68,282.00). (City Manager)

Motion to Approve: Councilman Marsh

Discussion: This purchase will now give the police department four new cruisers this year. These two vehicles are being purchased from the excessive overtime funds that the department did not use.

Motion Approved: 7/0

11. An Ordinance to Amend the Traffic Control Map, Ordinance No. 214, of the City of Weirton, to Establish a Residential Disability Parking Space at 3514 Elm Street (Emergency Reading). (Councilman Ash)

Motion to Approve: Councilman Ash

Discussion: It was explained that this ordinance is before Council as an emergency reading so it can be passed with one reading instead of two readings. It was confirmed that the city ordinance to remove handicap parking spaces only needs one reading.

Motion Approved: 7/0

12. A Resolution to Enter into Contract for Environmental Services for the Public Works Department (\$9,890.00). (City Manager)

Motion to Approve: Councilman Ash

Motion Approved: 7/0

13. A Resolution to Authorize Revisions to the 2020-2021 Fiscal Year General Fund Budget. (City Manager)

Motion to Approve: Councilman Connell

Finance Director, Diana Smoljanovich, explained that this budget revision is being done because transit is getting additional funding due to Covid-19.

A Roll-Call Vote was Requested for the Motion:

Councilman Tim Connell	<u>Yes</u>
Councilman Mike Adams	<u>Yes</u>
Councilman Fred Marsh	<u>Yes</u>
Councilman George Ash	<u>Yes</u>
Councilwoman Flora Perrone	<u>Yes</u>
Councilman Enzo Fracasso	<u>Yes</u>
Councilman Terry Weigel	<u>Yes</u>

Motion Approved: 7/0

14. A Resolution to Authorize Revisions to the 2020-2021 Fiscal Year Coal Severance Fund Budget. (City Manager)

Motion to Approve: Councilman Marsh

Finance Director, Diana Smoljanovich, explained that this budget revision is being done in order for the Public Works Department to purchase two AEDs (automated external defibrillators).

A Roll-Call Vote was Requested for the Motion:

Councilman Fred Marsh	<u>Yes</u>
Councilman George Ash	<u>Yes</u>
Councilwoman Flora Perrone	<u>Yes</u>
Councilman Enzo Fracasso	<u>Yes</u>
Councilman Terry Weigel	<u>Yes</u>
Councilman Tim Connell	<u>Yes</u>
Councilman Mike Adams	<u>Yes</u>

Motion Approved: 7/0

15. An Ordinance Modifying Ordinance #1733 Implementing New Rules and Regulations for the Weirton Fire Department Personnel. (Councilman Connell)

Motion to Approve: Councilman Connell

Councilman Ash made a motion to amend the Rules of the City of Weirton Fire Department to use the word "station" instead of the word "platoon" throughout the document.

Motion Approved: 5/2

Councilman Weigel and Councilman Fracasso voted against the amendment

It was explained that by adding this position, overtime expenditures would be decreased because any overtime would be at the level of a firefighter instead of an officer.

Motion to Approve the Ordinance as Amended: Councilman Connell

A Roll-Call Vote was Requested for the Motion:

Councilman Tim Connell	<u>Yes</u>
Councilman Mike Adams	<u>Yes</u>
Councilman Fred Marsh	<u>Abstain</u>
Councilman George Ash	<u>Yes</u>
Councilwoman Flora Perrone	<u>Yes</u>
Councilman Enzo Fracasso	<u>No</u>
Councilman Terry Weigel	<u>No</u>

Motion Approved: 4/2/1

Councilman Fracasso and **Councilman Weigel** voted against the Ordinance, and **Councilman Marsh** abstained until the numbers are run through finance.

It was requested that Chief Himmelrick submit the numbers to the Finance Director so they can be reviewed at next month's Finance Committee meeting. These numbers are to include the explanation of any additional costs and savings to the City, as well as how the amount of overtime will be reduced.

CITY MANAGER AND DEPARTMENTAL REPORTS

City Manager, Joseph DiBartolomeo – follow-up to tonight’s meeting with the African-American Community Pastors, Leaders, the points of discussion will be addressed, and responses will be provided to all interested parties. The next meeting is scheduled to be held before the July 2021 Regular Council Meeting. The Park Drive Development plans and specifications are ready to submit to the federal EDA for review. After that is completed, the bid process starts. Hopefully, by June 1, the digging will begin.

Assistant City Manager, DeeAnn Pulliam – outcome from the last Public Safety Committee meeting is we are moving forward with house numbering and education. Several things are planned to educate people on the importance of house numbering and adhering to City code. There will be a press release, a press conference, and a page established on our website. The next planned Public Safety Day will be in October. The next work session with the District 6 DOH will be held on May 17, 2021. We are working with CGI to create an updated tour of the City. The videos will focus on things such as economic development, shopping and dining, and we will be adding an additional one for public safety. The videos will be put on the City’s website and will be used at different events. They are free of cost to the City.

MAYOR AND COUNCIL COMMENTS/COMMUNICATIONS

A council workshop will be held in the next couple of weeks for the purpose of strategic planning.

ADJOURNMENT

Motion to Adjourn: Councilman Marsh

Motion Approved 7/0

Councilman Tim Connell recited the closing prayer.

Minutes approved at the May 10, 2021 Regular City Council Meeting.

Signed: *Kimberly Long*, City Clerk